Defining a ‘democratic elite’: Key media in the battle for social responsibility

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This paper offers a broad definition of elite media and argues their content focus will sufficiently meet social responsibility needs of democracy. It is a response to anxiety that mass media fail in a responsibility to provide society with enough information about itself, to support democratic life. The assumptions behind such concerns are articulated in the reports of the Finkelstein and Leveson Inquiries and in the United Kingdom Royal Charter pursuant to the latter, all flowing from the News of the World scandal. The paper borrows thought-out understandings and prescriptions of these government-instigated actions to propose a frame or set of guidelines on how media producers meeting a ‘social responsibility’ standard can get recognition.

Standards as indicated by these sources:

Finkelstein (2012:7), on ‘common ground among all those who think seriously about the role of the news media and about journalistic ethics’, considers: ‘a free press plays an essential role in a democratic society …, has a responsibility to be fair and accurate …, is a powerful institution which can, and does affect the political process …, can cause harm, should be publicly accountable, and has codes of ethics regarding accuracy, fairness, impartiality, integrity and independence …’

Leveson (2012:55-83), asserting the ‘importance of a free press to democracy is surely incontrovertible’ and setting out a ‘framework of understanding which is relatively uncontroversial’, prescribes: ‘If a free press in a democracy has a special role in facilitating free communication and in constituting a public forum, then an ethical press will want to … enable people to recognise and assess the material being provided. Where it provides information, that information will be reasonably intelligible and accurate ... If a free press in a democracy has special privileges to keep its sources secret, then an ethical press will be mindful of the reasons for and effects of that privilege … If a free press in a democracy has a special place because of its ability to hold power to account, an ethical press will consider itself to have responsibilities to do just that… A free and autonomous press within a democracy will be mindful of the democratic freedoms and autonomies of others.’

The Royal Charter (2013), now proclaimed, having survived legal challenges, awaits implementation after the 2015 British elections, and declares as a first principle it ‘supports the integrity and freedom of the press, the plurality of the media, and its independence, including from Government, while encouraging the highest ethical and professional standards.’ It is to establish a standards code, taking into account: ‘the importance of free speech, the interests of the public (including but not limited to the public interest in detecting or exposing crime or serious impropriety, protecting public health and safety and preventing the public from being seriously misled), the need for journalists to protect confidential sources of information, and the rights of individuals ...’ Standards of conduct will include respect for privacy … and accuracy, and the need to avoid misrepresentation… The regulatory mechanism will include ‘a service to warn the press and other relevant parties such as broadcasters and press photographers, when an individual has made it clear that they do not welcome press intrusion …’, and ‘subscribers [from the news media] will be held strictly accountable under the standards code for any material that they publish …’

Further, the Royal Charter contains provisions for mediation, voluntary corrections of material published wrongly, mandatory orders requiring corrections, funding of research into standards performance, and ultimately sanctions geared to the financial turnover of the media organisation, up to £1-million (A$1.84-million; xe.com 6.10.14).

This paper suggests firstly that the principle of media producers opting-in to observe such standards, and come under specific regulation, can separate them from those with other missions, e.g. all-advertorial.

It will secondly support the implication of the Royal Charter, that those opting out will be known as exceptions, so that ultimately mass media, while still uniformly enjoying the right to publish, will be in two separate and recognised fields.

It will suggest thirdly that the first group, opting in, and depending on how they fare under the regulatory regime, may obtain the status of elite media.

It will suggest fourthly that media operations meeting that definition will adequately serve the democratic function, especially where maintaining a public record of events and publishing information in the public interest.

To make clear, this is not an argument for universal adoption of the forthcoming British regulatory scheme; it is to use it, and the formulation of standards from the inquiries, to advance the concept of elite media, identified as such by their commitment to public interest. Unlike the public inquiries, this argument has no call to consider that the code of standards is appropriate to all mass media, and it is not alarmed by the prospect of some, even most opting out. Here, it is seen as indicative that the prospect raised in the Royal Charter, for perpetrators of egregious breaches of the standards, e.g. breach of privacy, if they are not subscribers, to be themselves denied access to redress and relief processes of the charter.

As this is an exercise concerned with definitions, it will consider media operations as cases and examples, and will consider the notion of social responsibility of media more generally. Existing ‘quality’ media outlets already get wide, informal recognition for application of the standards, referred to above, associated with serving the public interest. Characteristics of their services: focus on content, e.g. providing journals of record; on audiences, though not on consumerist or commercial models. Obvious examples are public broadcasters, e.g. BBC, Al-Jazeera, and ‘quality’ press, e.g. *NYT*, *Süddeutscher Zeitung*, but also community broadcasters, specialised magazines, private subscription news agencies, e.g. AAP, Bloomberg, distinctive web logs, or corporate media packages with vested interests in delivering tested information in engaging formats. These may make a claim to an elite media status.

Most observe a liberal ethic, e.g. maturity with commentary - made to a standard of reasoned, informational and fair. Important branches of activity include investigative journalism. Funding is almost a point of definition, many of these services being not for profit. Alternatives are state funding (public service broadcasters), private trusts (*The Guardian*), support from public institutions, subscriptions and volunteering (community radio).

Elite media are seen as those which are primarily committed to public good or interest, e.g. the ‘Public Value Test’, Moe and Donders eds. (2011). Other literature analyses public service media, flowing from the enterprise of public service broadcasters moving into online;

see RIPE 2006 conference, Ferrell Lowe and Bardoel (eds.), and elsewhere, e.g. Debrett (2010), or Burns and Brugger (2012). Further work discusses the mixed media approach, both products and operational, as 'hybridisation', e.g. Barnett and Seaton (2010).

The scope of this paper is limited. In this scheme of understanding, proliferating social media are seen in two aspects: as participants in all media, and as the early stage of a new and parallel dimension of mass communication founded on inter-activity, many-to-many. Participants in all media may be subscribers to standards as specified above, e.g. 'fair and accurate', 'accountable', 'be mindful of the democratic freedoms and autonomies of others', 'preventing the public from being seriously misled'. They may be elite media. Mass and interactive media models have their built-in mechanisms for evaluating, embellishing and correcting published material, which can be sustained by transparency, and practical expectations of users, empowered to check on and challenge what they see. The present exercise hardly extends to discussion of non-elite media, e.g. commercial broadcasters lobbying for protection against public media as marginal but strategic competitors, while drawing on their innovations also. It cannot deal with the question of audiences, where issues such as psychological defences against media bombardments, and proactive using of media, would be pertinent, (e.g. Renckstorf, McQuail and Jakowski, Media use as social action …, 1996).

Why propose that the services of elite media as defined here will be sufficient to meet the need for socially responsible media in society?

It is firstly because these, once clearly defined, can provide a 'plenary' for debate. Many are established organisations geared to rationing of content through limited channels, dating to the era of severe shortage of space and air-time – up to the 1970s liberalising of broadcast bands and getting the Internet on personal computers after 1995. Participating in diversity now, they remain competent to still provide a digest for their followers. Given the application of the standards code, as discussed here, citizens may go to a limited number of places with confidence, and not spend too much precious time, getting ample news and related services to help them participate in the civil society. That process, of assembling at central locations for information and exchange, is a radical improvement on how it was under the rationing of past decades, due to proliferation of information and channels and much more participative use of media by publics. Much thinking about 'social responsibility' is about politics, (though not all; the British experience with News of the World was about criminal intrusion into privacy – with political influence of the publishers a strong secondary issue); and to date the political community mostly want 'plenary' activity, e.g. broadcasts from parliament, live media conferences, exclusive interviews with specialist writers.

Secondly the notion of recognition, as conveyed in the principles of the British Royal Charter, will allay confusion. Those which sign on and can maintain the required performance will have the better status in public debate – be ones to take most notice of. Again the Royal Charter might provide a lead, where it stipulates the membership of a Recognition Panel that oversees the setting-up of a regulator. It can be imagined that a board well distanced from media interests and involvements, e.g. funded by a philanthropic trust, could actually certify qualifying media.

Thirdly there are many such outlets, collectively well resourced and strong. That is so, notwithstanding that newspapers and broadcasting are among the industries most suffering from negative impacts of digital transformation (and other impacts of the 'new economy'),

causing the extensive job lay-offs; in a labour intensive field, frequently outweighing any productivity gains, and posing a threat to the codified standards discussed here. Major organisations in the potential ‘elite’ column, as listed above, e.g. Australian ABC, have substantial resources and enduring strong public support, and a professional base, enabling ongoing provision of services, extensive innovation (e.g. public broadcasters going to online circa 2000), training and protection of personnel, and defences against attacks on their operations. They share in adaptability of media, for example in the case of online products, exploiting the capacity of the medium to bring ‘back of the book’ material – arts, personality, festivals, games, personal finances – into the traditional territory of ‘news’ pages at the top; the subject of a current study by the present author, see Duffield and Keshvani (2014).

With digitised media, censoring, data harvesting and the like, by governments, have become a serious global threat. Corporate strength and strength in numbers, of this well-identified sector, will continue as a useful defence strategy. In the case of dispersed new media, such as the social media model mentioned above, the multiplicity of points in a network may ward off destruction at its core, though individual parts will be vulnerable, e.g. to financial and technical constraints, through to murder of isolated journalists. An ‘elite’ sector overall, as envisaged, will provide resilience, and a rich diversity and volume of services, well sufficient for democratic intercourse.

Whereas this argument to a degree dismisses the putative ‘non elite’ sector, that is because the concept of social responsibility referred to here is limited, concerned with the essentials of freedom and communication for democracy. It is concerned with ensuring that information is exchanged and well handled, as a minimal standard. Overall, where content of mass media is at issue, most services, whether focused on dancing, cooking, other ‘reality’, gossip, action movies, pet animals or the races, are not immediately a part of the trade in ideas. Consumers opting to use such media, is a matter of simple right of choice. A debate can be conducted around ‘opinion’ media such as tabloid press voicing strong editorial lines, or ‘opinion as entertainment’ on radio -- in the present era most of it radical right-wing politics. It may be ‘about’ social issues and politics of the day, but would be severely tested if trying to obtain certification as trusted elite media, ‘mindful of the democratic freedoms and autonomies of others’ (Leveson, 2012: 83), along the lines discussed here.